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Appl. No. 10/006,246  
Response to Office Action dated November 13, 2006

### REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

The subject patent application claims priority to Japanese Application Nos. 2001-28384 and 2001-335259, filed on February 5, 2001 and October 31, 2001, respectively.

Acknowledgments of these priority claims and of receipt of the certified copies of these applications (which were submitted on December 10, 2001 and are part of the USPTO image file wrapper) are again respectfully requested.

Claims 1, 2, 10, 12-22, 28 and 32-35 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Murphy (U.S. Patent No. 6,232,874) in view of Tsuchihashi (U.S. Patent No. 6,664,899). While not acquiescing in this rejection or in the characterizations of the applied references made in the office action, claims 1, 2, 10, 12, 13, 16-22, 28 and 32-35 have been amended and claim 15 has been canceled without prejudice or disclaimer. The discussion below makes reference to the amended claims.

Independent claim 1 is directed to an inside-vehicle information communication method in which an information server, provided in a vehicle, is caused to output a request for electronic ticket information to a portable display device possessed by a passenger of the vehicle, upon receipt of a request for connection from the portable display device. The information server is caused to receive the electronic ticket information, outputted from the portable display device upon receipt of the request for the electronic ticket information. The information server is also caused to confirm, based on the electronic ticket information, whether the passenger has a right to use the vehicle and to allow the portable display device to access information services provided by the information server in the vehicle if the server confirms that the passenger has the right to use the vehicle.

As described by way of example without limitation in the subject patent application in connection with an illustrative embodiment, the information server can be connected only to a portable display device having a right to use a vehicle. This can ensure limited use of, for example, an information-providing service via the information server with a portable display

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device having a use right and the connection can be established, for example, within an allowable range. Thus, even inside a vehicle, a user possessing a portable display device and appropriate electronic ticket information can securely and easily receive an information-providing service.

In complete contrast, Murphy is directed to controlling use of a vehicle by a "restricted operator." Murphy describes that the restricted use may arise because of "one or more recent convictions of the operator for driving under the influence of alcohol or drugs, because of recent physical, mental or emotional impairment or the advanced age of the operator, or because of other similar reasons." Col. 1, lines 16-20. Murphy further describes that "...a vehicle driver activates the vehicle by turning on the ignition system and thereby activates the driver control system." The ability of the driver to operate the vehicle is determined based on an indicium and/or a token provided to an apparatus 170.

Consequently, Murphy is very different than the method of claim 1 which relates to, among other things, a portable display device of a passenger accessing information services provided by an information server in a vehicle. Murphy does not disclose a portable display device and certainly contains no disclosure whatsoever relating to such a device accessing information services provided by an information server.

Tsuchihashi discloses a portable unit 4 that may be used, for example, to lock and unlock a car. Tsuchihashi is primarily concerned with extending the lifetime of a battery incorporated in the portable unit and does not at all relate to a portable display device or to the accessing of information services by such a portable display device.

Because neither Murphy nor Tsuchihashi involves a portable display device or the accessing of information services by such a portable display device as claimed, the proposed combination of these references is deficient with respect to claim 1 for at least this reason.

Independent claims 2, 10, 12, 13, 16, 17, 18, 20, 32, 33, 34 and 35 each involve a portable display device (or an information display terminal) accessing information services provided by an information. These claims are believed to patentably distinguish over the proposed combination of Murphy and Tsuchihashi for at least the reasons set forth with respect to claim 1.

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Independent claim 19 also calls for a "relay" with respect to communication performed between an information communication apparatus outside the vehicle and a portable display terminal. Neither Murphy nor Tsuchihashi relate to portable display terminals, much less to a relay for communications involving such terminals and a communication apparatus outside a vehicle as claimed.

Claims 34 and 35 each also calls for sending, from the server to a portable information display terminal, notification information for notifying a passenger that the information terminal is connected to the server and can access information services provided by an information server. No such notification is provided in the applied references and the office action cites to no portions of these references alleged to show a notification. For this additional and independent reason, claims 34 and 35 are believed to patentably distinguish over the proposed combination of Murphy and Tsuchihashi.

The claims which depend from the above-discussed independent claims are believed to patentably distinguish over the applied references at least because of their respective dependencies.

Claims 3-9, 11, 23, 24, 30 and 31 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over the proposed Murphy-Tsuchihashi combination, in further view of Obradovich (U.S. Patent No. 6,275,231).

Obradovich discloses a centralized control system for the functions of an automobile, but contains no description whatsoever of a portable display device accessing information services provided by an information server. Consequently, Obradovich would not have remedied the deficiencies of Murphy and Tsuchihashi with respect to claims 1, 10 and 18 from which claims 3-9, 11 and 30 depend. Consequently, these dependent claims are believed to patentably distinguish over the proposed combination of references.

Moreover, these claims contain additional patentable distinctions over the applied references. For example, with respect to claims 5-7 and 9, there is nothing in the applied references about server operations based on a time and/or geographical range.

Independent claim 23 calls for a recording medium issuing apparatus which issues an information recording medium. The apparatus of claim 23 includes a recording section for recording a using condition in an information recording medium. Murphy, Tsuchihashi and

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Obradovich, taken individually or in combination, do not disclose or suggest an apparatus which issues an information recording medium and for this reason alone the rejection of claim 23 is improper.

Moreover, the office action fails to address where in these references the concept of issuing an information recording medium can be found. Thus, the office action cannot be said to even set forth a *prima facie* case of obviousness and thus for this reason additional and independent reason the rejection of claim 23 must be withdrawn. Specifically, according to the office action, claim 23 is rejected "under the rationale of claim 31." See 11/13/2006 Office Action, page 8. The claim 31 discussion on page 7 of the office action references claim 12 and also explains how Obradovich purportedly discloses the claimed "using conditions" (an assertion with which Applicants strongly disagree), but makes no mention of where these documents disclose issuing a recording medium. The claim 12 discussion on pages 2-5 of the office action likewise makes no mention of where Murphy or Tsuchihashi can be said to disclose or suggest issuing a recording medium. Because this feature is not addressed in the office action, the rejection of claim 23 is improper and must be withdrawn.

Like claim 23, independent claim 24 is for an information recording medium issuing apparatus. The apparatus of claim 24 includes a recording section for recording first and second using conditions in the recording medium under certain conditions. Murphy, Tsuchihashi and Obradovich, taken individually or in combination, do not disclose or suggest an apparatus which issues an information recording medium. Moreover the office action does not identify how the applied references are alleged to provide this feature. For at least these reasons, claim 24 is believed to patentably distinguish over the applied references.

Claim 31 calls for, among other things, enabling an information display terminal to access information services provided by an information server only when certain using conditions are identical to each other. None of the applied references disclose or suggest the concept of an information display terminal accessing information services and for this reason alone claim 31 is believed to patentably distinguish over these references.

Claims 25, 26 and 29 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over the proposed Murphy-Tsuchihashi combination in view of Fuku et al. (U.S. Patent No. 6,868,170) and claim 27 was rejected under 35 U.S.C. Section 103(a) as allegedly

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being "obvious" over the proposed Murphy-Tsuchihashi combination in view of Joao (U.S. Patent No. 6,549,130). Fuku et al. and Joao are applied in connection with certain features of dependent claims 25, 26, 27 and 29. The combination of these documents with Murphy and Tsuchihashi (even if proper) would not result in the subject matter of the independent claims from which these claims depend. For at least this reason, claims 25, 26, 27 and 29 patentably distinguish over the applied documents.

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,

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